

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF GEORGIA  
ALBANY DIVISION**

DERRICK ANTHONY MOORE,	:	
	:	
Plaintiff,	:	
	:	
v.	:	CASE NO.: 1:12-cv-81(WLS)
	:	
DR. AIKENS, <i>et al.</i> ,	:	
	:	
Defendants.	:	
_____	:	

**ORDER**

Pending before the Court is a Report and Recommendation from U.S. Magistrate Judge Thomas Q. Langstaff, filed June 26, 2012. (Doc. 6). Therein, Judge Langstaff recommends dismissal with prejudice of Defendants Sam Olens, Mark Gilbert, and Mitchell County, Georgia, and Plaintiff's \$250,000,000 claim for monetary damages. (Doc. 6 at 3-4). He also recommends dismissal with prejudice of Plaintiff's request for "immediate release." (*Id.* at 4).

The Report and Recommendation provided the Parties with fourteen days<sup>1</sup> from the date of its service to file written objections to the recommendations. (*Id.* at 3-4). The period for filing objections expired on Friday, July 13, 2012; no objections have been filed to date. (*See* Docket).

In view of the absence of any objections from the record of this case, the Court's consideration of the record of the case as a whole, and the Court's determination of the reasonableness of the findings and legal basis of the Recommendation, U.S. Magistrate Judge Langstaff's June 26, 2012 Report and Recommendation (Doc. 6) is **ACCEPTED, ADOPTED**

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<sup>1</sup> The Parties were given an additional three days because service was made by mail. *See* Fed. R. Civ. P. 6(d) (adding three days to specified period within which a party may act if service is made under Rule 5(b)(2)(C) by mailing process to a party's last known address).

and made the Order of this Court for reason of the findings made and reasons stated therein. Pursuant to the Recommendation, Plaintiff's claims against Defendants Sam Olens, Mark Gilbert, and Mitchell County, Georgia, as well as his claim for \$250,000,000 in monetary damages for pain and suffering, are **DISMISSED WITHOUT PREJUDICE**, and Plaintiff's request for "immediate release" is **DISMISSED WITH PREJUDICE**. Only Plaintiff's claims against Defendants Aikens and Hutto remain before the Court.

**SO ORDERED**, this 31<sup>st</sup> day of July 2012.

/s/ W. Louis Sands

**THE HONORABLE W. LOUIS SANDS,  
UNITED STATES DISTRICT COURT**